

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-7, 9-19, 21-25, and 28-32 are pending in this application. Claims 1, 13, 28, and 31 are amended by the present amendment. As amended Claims 1, 13, 28, and 31 are supported by the original claims and specification,<sup>1</sup> no new matter is added.

In the outstanding Official Action, Claims 1-7, 9-19, and 21-25 were rejected under 35 U.S.C. §112, second paragraph; Claims 28-32 were rejected under 35 U.S.C. §103(a) as unpatentable over Klein et al. (U.S. Patent No. 5,726,885, herein "Klein") in view of Steinberg et al (U.S. Patent No. 6,750,902, herein "Steinberg"); and Claims 1-25 and 32 were rejected under 35 U.S.C. §103(a) as unpatentable over Klein in view of Steinberg and further in view of Shiota et al (U.S. Patent No. 6,657,660, herein "Shiota").

With regard to the rejection of Claims 1-7, 9-19, and 21-25 under 35 U.S.C. §112, second paragraph, Claims 1 and 13 are amended to recite "the server terminal transmits the input image data to a user of the information device based on the method of transmission." Accordingly, it is respectfully submitted that Claims 1-7, 9-19, and 21-25 are in compliance with all requirements under 35 U.S.C. §112, second paragraph.

With regard to the rejection of Claim 28 under 35 U.S.C. §103(a) as unpatentable over Klein in view of Steinberg, that rejection is respectfully traversed.

Amended Claim 28 recites in part, "designating a method for transmitting an image to the user, the image captured by the information device after the information device is reconnected to the network used in the lending reservation method."

The outstanding Office Action conceded that Klein does not teach or suggest this feature.<sup>2</sup> Although the outstanding Office Action cited Steinberg as describing an

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<sup>1</sup>See, e.g., the specification at page 18, line 25 to page 20, line 14.

information device and a method for transmitting an image captured by the device after the device is connected to a network,<sup>3</sup> the Office Action does not assert, and it is respectfully submitted that Steinberg does not teach or suggest “*designating* a method for transmitting an image,” as recited in Claim 28. In fact, the cited portion of Steinberg<sup>4</sup> does not discuss any data transmission, much less “designating a method for transmitting an image.”

Consequently, neither Klein nor Steinberg teach or suggest “designating” as recited in Claim 28.

Further, it is respectfully submitted that there is no suggestion or motivation to make the proposed combination. As Klein describes a vehicle reservation system including chip cards programmed to authorize the use of a vehicle,<sup>5</sup> no data is transmitted to the user after the user returns the car and no method of transmission of data needs to be designated, at the time of reservation or at any other time. To modify the apparatus of Klein to include “designating a method for transmitting an image” would require a major redesign of the apparatus described by Klein. Well settled case law has established that if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). See also MPEP §2143.01. Adding an image capturing device and transmission means for transmitting the image to the vehicle reservation system of Klein would clearly change the basic principle of operation of the vehicle reservation system. In fact, it is not clear if the proposed combination would be a reservation system for vehicles, information devices, or both. Accordingly, Klein and Steinberg cannot render Claim 28 *prima facie* obvious.

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<sup>2</sup>See the outstanding Office Action at page 10, lines 8-10.

<sup>3</sup>See the outstanding Office Action at page 10, lines 11-15.

<sup>4</sup>Steinberg, column 1, lines 54-59.

<sup>5</sup>See Klein, column 4, lines 46-50.

As Klein and Steinberg do not teach each and every element of Claim 28, and there is no suggestion or motivation to combine Klein and Steinberg, Claim 28 (and Claims 28 and 29 dependent therefrom) is patentable over Klein in view of Steinberg.

Claim 31 recites similar elements to Claim 28. Accordingly, Claim 31 is patentable over Klein in view of Steinberg for at least the reasons described above with respect to Claim 28.

With regard to the rejection of Claim 1 under 35 U.S.C. §103(a) as unpatentable over Klein in view of Steinberg and further in view of Shiota, that rejection is respectfully traversed.

Amended Claim 1 recites in part:

the client terminal comprises an image transmission method designating unit configured to designate, at the time of reservation, server terminal information related to a method of transmission of input image data once the information device is returned, wherein the input image data is an image captured by the information device and input from the information device to the server terminal.

The outstanding Office Action conceded that Klein does not teach or suggest “an image transmission method designating unit.”<sup>6</sup> Although the outstanding Office Action cited Steinberg as describing an image transmission method designating unit,<sup>7</sup> the Office Action does not assert, and it is respectfully submitted that Steinberg does not teach or suggest any part of a device that is “configured to *designate*, at the time of reservation, server terminal information related to *a method of transmission* of input image data once the information device is returned,” as recited in Claim 1. In fact, the cited portions of Steinberg<sup>8</sup> do not discuss any designation of a method for data transmission, much less “an image transmission method designating unit” as recited in Claim 1. Further, Shiota does not teach or suggest this

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<sup>6</sup>See the outstanding Office Action at page 4, lines 15-18.

<sup>7</sup>See the outstanding Office Action at page 4, lines 19-22.

<sup>8</sup>Steinberg, column 1, lines 54-59, column 4, lines 53-54 and Figure 1.

element either. Consequently, none of Klein, Steinberg, and Shiota teaches or suggests “an image transmission method designating unit” as recited in Claim 1.

Amended Claim 1 further recites “the server terminal transmits the input image data to a user of the information device based on the method of transmission.”

Consequently, according to the invention recited in Claim 1, the user of the information device is easily capable of obtaining the image data from the server even after the information device is returned. In other words, the user of the information device advantageously does not have to worry about the image data while the user is borrowing the information device, because the user will obtain all the necessary image data together after the information device is returned. All of Klein, Steinberg, and Shiota fail to teach or suggest the above-mentioned advantages of the invention recited in Claim 1.

Further, as noted above, it is respectfully submitted that there is no suggestion or motivation to make the proposed combination. Adding an image capturing device and an image transmission method designating unit to the vehicle reservation system of Klein would clearly change the basic principle of operation of a vehicle reservation system. Accordingly, Klein, Steinberg, and Shiota cannot render Claim 28 *prima facie* obvious.

Consequently, as the cited references do not teach or suggest each and every element of Claim 1, and there is no suggestion or motivation to combine Klein, Steinberg, and Shiota, Claim 1 (and Claims 2-7, 9-12, and 32 dependent therefrom) is patentable over the cited references.

As independent Claim 13 recites similar elements to Claim 1, Claim 13 (and Claims 14-19 and 21-25 dependent therefrom) are patentable over the cited references for at least the reasons discussed above with respect to Claim 1.

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Reply to Office Action of December 20, 2005

Accordingly, in view of the present amendment, no further issues are believed to be outstanding and the present application is believed to be in condition for formal allowance.

An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

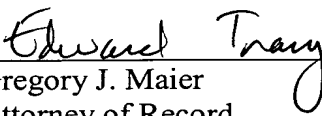
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